



Town of Tyngsborough
Planning Board
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 115

MINUTES
May 19, 2011
APPROVED

Attachments:

1. Meeting Agenda
2. Tyngsborough Commons Response to Comments – May 19, 2011

Members Present: Steve Nocco, Chairman
Tom Delmore, Vice Chairman
Bill Gramer
Caryn DeCarteret
Jesse Johnson, P.E.: David E. Ross Associates
Pamela Berman, Administrative Assistant

Members Absent: Steve O'Neill

7:00pm - Meeting called to order by Chairman S. Nocco

7:02pm - Tyngsborough Zoning By-Law Section 2.11.44 (Business Uses – Principal Use Definitions) to add language to the definition of Commercial Recreation.

Planning Board members Caryn DeCarteret and Steve Nocco disclosed their previous Planning Board relationship to the applicant, Darryl Wickens.

Darryl Wickens appeared before the Planning Board to explain the citizen's petition he filed. Mr. Wickens explained that the amendment would be to add a listing of active sporting activities to the Commercial Recreation definition. This would address any ticketed event or any and all activities that would be held at any local accommodating venue. There were no citizens present to voice any opinions.

C. DeCarteret: Motion to close the hearing
T. Delmore: 2nd the motion
In Favor: 4 Opposed: 0 Absent: 1
Passes: 4-0-1-0

C. DeCarteret: Motion to support the citizen's petition to add language to the definition of Commercial Recreation in Zoning By-Law Section 2.11.44 (Business Uses – Principal Use Definitions)
W. Gramer: 2nd the motion
In Favor: 4 Opposed: 0 Absent: 1
Passes: 4-0-1

7:10pm - ANR, Lot Delineation – 50 Westford Rd. (M21, P23, L1)

Atty. Scott Eriksen and developer Walter Eriksen appeared before the Board to explain that when their surveyors drew out the lots, it was discovered that there was a house owned by Dennis Dunning that encroached the Sycamore property lines. Therefore, the lines were re-drawn to take the house out of the Sycamore property. The plan does not create a lot, and there is a utility easement already in place. J. Johnson reported that the plans meet all ANR criteria.

T. Delmore: Motion to approve the ANR Plan of Land for 50 Westford Road dated October 25, 2010.
C. DeCarteret: 2nd the motion
In Favor: 4 Opposed: 0 Absent: 1
Passes: 4-0-1

7:15pm - 50 Westford Road (a.k.a. Tyngsborough Commons): Special Permit and Site Plan Special Permit for a proposed mixed-use development that includes seven buildings for commercial, professional, and residential use – Westford Road Development, LLC. Continued from May 5, 2011.

Developer Walter Eriksen and Attorney Scott Eriksen appeared before the Board to continue the discussion for a multi-use development known as “Tyngsborough Commons”. The focus of tonight's hearing was the response to the Planning Board's traffic engineer's review of the Traffic Impact and Access study done by Vanasse & Associates, Inc. (VAI). The response addressed the tenant issue and noted that a bank would not immediately trigger any signalization requirements at that entrance. They went on to say that a traffic signal at that entrance wouldn't be immediately necessary. They proposed a condition be imposed on any Special Permit that would require a bond be posted for the full cost of installing a traffic signal at that location after two of the seven buildings have been constructed. The Board felt that those conditions would be acceptable.

Mr. Eriksen also indicated that his site engineer, Doug Lees is still working on addressing engineer J. Johnson's comments from his reported dated April 21, 2011. He went on to say that he would be ready to submit those by the June 16, 2011 meeting.

T. Delmore: Motion to continue the hearing until June 16, 2011
W. Gramer: 2nd the motion
In Favor: 4 Opposed: 0 Absent: 1
Passes: 4-0-1

Discussion

Planning Board Re-Organization

C. DeCarteret: Motion to keep the Planning Board officers as follows: Steve Nocco: Chairman, Tom Delmore: Vice Chairman, William Gramer: Secretary, Steve O'Neill: Treasurer.

T. Delmore: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

Administrative

T. Delmore: Motion to approve the minutes from May 5, 2011

W. Gramer: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

7:30pm

C. DeCarteret: Motion to adjourn

W. Gramer: 2nd the motion

In Favor: 4 Opposed: 0 Absent: 1

Passes: 4-0-1

Minutes respectfully submitted by
Pamela Berman
Planning Board Administrative Assistant